TL 35

U.S. Senate Committee on Foreign Relations Hearings on
"Crisis in East Timor and United States Policy towards Indonesia"
February 27, 1992

Testimony of Allan Nairn

Mr. Chairman, my name is Allan Nairn. Last November 12 while in East Timor on assignment for the New Yorker magazine, I witnessed and survived the massacre at the Santa Cruz cemetery.

What I saw was a cold blooded execution and the facts are very simple and very clear. Indonesian soldiers marched up in massed formation and opened fire in unison into a peaceful, defenseless crowd. The next day the national commander of the Indonesian military praised the massacre and said that it was armed forces policy to shoot down defiant Timorese.

This massacre, Mr. Chairman, was only the latest mass atrocity in what has been one of the greatest genocides of the 20th Century. Two hundred thousand people, one third of the East Timorese, have been murdered by the Indonesian troops. They have been executed in school yards, machine-gunned in open fields, and snatched from their homes and dropped into the sea. Some have died while fleeing through the rocky hills pursued by planes and helicopters. Others have succumbed to starvation and disease while confined to prison camps and resettlement villages. When I first visited East Timor in August of 1990, Timorese would furtively approach me almost whenever I went outside and ask me to get messages to the outside world. They would usually start by saying that the army would kill them if we were caught, for in East Timor, they explained, "it is prohibited to speak to foreigners." They would say "they killed my father," "my mother," "my brothers," "my wife," and run through the urgent litany of how the army had murdered their loved ones. People handed me notes and letters and pleaded that I tell their story to the UN Secretary General, the Parliament of Portugal, the Prime Minister of Australia or the Congress of the United States.

I have spent a dozen years covering armies and repressive regimes in places like Central America, Southern Africa and the Middle East, but I have never seen a place where the authorities have succeeded in making so many people so terrified. Downtown Dili is dotted with army torture houses and there are troops and plainclothes agents everywhere. In the country, police descend on any outsider who enters a village, and they keep track of who is in each hut at night. I spoke with Indonesian troops and intelligence men who confirmed that they had killed 200,000. Several thousand of these were Timorese who resisted Indonesia with arms after its army invaded there in 1975. But the vast majority were simply civilian Timorese who either lived in towns that the army had chosen to destroy, or who had expressed opposition to Indonesian army rule or were unlucky enough to be children of people who had.

When I returned to East Timor in October of this past year, the air of terror was more intense and the repression was greater still. The Indonesian army was sweeping through villages and towns rounding up Timorese who, the army suspected, might be preparing to talk to a UN-sponsored delegation that was due to arrive from the Parliament

of Portugal. The Indonesians were holding hundreds of meetings across the country, warning that those who spoke to the delegation would be killed. Bishop Belo told me that the army was saying that it would find the families of Timorese who tried to speak or demonstrate and hunt them down and kill them "to the seventh generation." The Bishop said he thought that the army's threats were credible and that if the Timorese did try to speak out in public, the army would respond with massacres as soon as the delegation left.

As it happened, the delegation never arrived in East Timor, but the army staged a massacre anyway. Within days after the postponement of the visit was announced, the army stormed the seaside church of San Antonio de Motael. I arrived in Dili a few hours after the attack, and later spoke with numerous eyewitnesses. During the attack the soldiers seized a young man named Sebastiao Gomes. They executed him at point blank range with a pistol shot to the gut. Gomes was one of a number of young men who had sought sanctuary in the church. He had been hunted by the army during the pre-delegation sweeps. Gomes' funeral attracted a crowd of more than a thousand people. The Timorese were clearly shaken by this attack on their flagship church.

The two-week commemoration of Gomes' death took place on November 12. It began with the traditional morning mass at the Motael and continued with a procession to lay flowers on Gomes' grave.

It should be noted that the Catholic Church is the only Timorese institution. All others have been obliterated on orders of the army high command. There are no Timorese unions or press, peasant leagues, political parties, or student groups. Their leaders have been executed and their existence banned. Timorese have been jailed and tortured for reading newspapers from overseas or attempting to listen on short wave to Radio Australia or the BBC. Social organization can only take place under the army's control. Public speech and assembly are prohibited by army fiat. This means that the civic life of the East Timorese must be conducted underground.

Gomes' funeral was a breakthrough event because people turned out and dared to speak. Some held up their hands in the sign of the "V" and shouted "Viva East Timor." The commemorative procession on November 12 was even larger and more outspoken. As the mass broke up people assembled on the street. The army intelligence chief drove by. Along the route of march there were soldiers and police, who carefully eyed the passing Timorese. This time a number of people were carrying hand-lettered banners supporting the church and the cause of Timorese independence. The banners said things like "Indonesia, Why You Shoot Our Church?" One was a plea addressed to "President Busch." There were young men, young women, children in Catholic school uniforms, and old people in traditional Timorese dress.

As the procession wound through Dili, many other people joined, they came from schools and offices and huts along the road. Sometimes young boys would break into a jog and older men would reign them in shouting "Disciplina!" "Disciplina!" People were chanting and giving the "V" sign and talking among themselves.* By the time it reached

---

* Indonesia later said that, during the course of the march, a soldier was stabbed by a Timorese in front of the military district command base. I saw , from about a hundred feet away, a brief scuffle near the base, but it did not look to me at the time as if anyone had been stabbed. After most of the marchers had already passed and the last Timorese were passing by, a few soldiers came out and began to beat some marchers with sticks. I saw other marchers then come to their defense, throwing some stones at the soldiers and at

the cemetery the crowd had grown quite large. There were perhaps three thousand to five thousand people. Some filed in toward Sebastiao's grave, and many others remained outside, hemmed in on the street by cemetery walls. People were, at that point, standing around, talking excitedly among themselves, when, suddenly, someone noticed that one of the exit routes had been sealed off by an Indonesian troop truck. Then, looking to our right we saw, coming down the road, a long, slowly marching column of uniformed troops. They were dressed in dark brown, moving in disciplined formation, and they held M-16s before them as they marched. As the column kept advancing, seemingly without end, people gasped and began to shuffle back. I went with Amy Goodman of WBAI/Pacifica radio and stood on the corner between the soldiers and the Timorese. We thought that if the Indonesian force saw that foreigners were there, they would hold back and not attack the crowd.

But as we stood there watching as the soldiers marched into our face, the inconceivable thing began to happen. The soldiers rounded the corner, never breaking stride, raised their rifles and fired in unison into the crowd.

Timorese were backpedaling, gasping, trying to flee, but in seconds they were cut down by the hail of fire. People fell, stunned and shivering, bleeding in the road, and the Indonesian soldiers kept on shooting. I saw the soldiers aiming and shooting people in the back, leaping bodies to hunt down those who were still standing. They executed schoolgirls, young men, old Timorese, the street was wet with blood and the bodies were everywhere.

As the soldiers were doing this they were beating me and Amy; they took our cameras and our tape recorders and grabbed Amy by the hair and punched and kicked her in the face and in the stomach. When I put my body over her, they focused on my head. They fractured my skull with the butts of their M-16s.

The soldiers put us on the pavement and trained the rifles at our heads. They were shouting "Politik! Politik!" We were shouting back, "America! America!," and I think that may have been the thing that saved us. They had taken my passport earlier but Amy showed them hers, and the soldiers seemed impressed when they realized that we were indeed from the States. We were, after all, citizens of the country that supplied them with M-16s. For whatever reason, the soldiers chose to let us live. We hopped a passing truck and got away. The soldiers were still firing as we left the scene, some five to ten minutes after the massacre began.

This was, purely and simply, a deliberate mass murder, a massacre of unarmed, defenseless people. There was no provocation, no stones were thrown, the crowd was quiet and shrinking back as the shooting began. There was no confrontation, no hothead

---

nearby government buildings. The scuffle broke up very quickly -- within about 45 seconds -- and the marchers continued on their way. Likewise, although there were many soldiers and police who watched the encounter as I did, they did not join in or react in any way. Neither did the soldiers or the police who lined the remainder of the parade route. The march continued to the cemetery without incident, and the massacre happened more than a half hour later. After the massacre, Chris Wenner, the video cameraman who was inside the cemetery, was imprisoned by the police and held for more than six hours, during which time he talked frequently with his captors. He says he asked them repeatedly why the army had staged the massacre, but that at no point did they say that any stabbing had taken place.

who got out of hand. This was not an ambiguous situation that somehow spiralled out of control. The soldiers simply marched up in a disciplined, controlled way and began to fire massively on the crowd.

It was quite evident from the way the soldiers behaved that they had marched up with orders to commit a massacre. They never issued a warning, they did not even pause or break their stride: they marched up and opened fire in unison. This action was not the result of their interaction with the crowd: the Timorese were just standing there or trying to get away. The soldiers opened fire as soon as their column turned the corner and got within a dozen yards of the Timorese.

After the Timorese had been gunned down the army sealed off the area. They turned away religious people who came to administer first aid. They let the Timorese bleed to death on the road.

It is clear, Mr. Chairman that what we witnessed was a deliberate act of state. The highest army officials have said as much. General Try Sutrisno, the chief of the Indonesian armed forces, said in a speech to graduates of the national defense institute, that Timorese like those who gathered outside the cemetery are "people who must be crushed." He said "delinquents like these agitators have to be shot and we will shoot them." He added, "come what may, let no one think they can ignore ABRI (the Indonesian armed forces). In the end they will have to be shot down." General Sutrisno was simply restating the policy which Jakarta has practiced in East Timor since 1975. It is the policy of President Suharto and the army command as a whole, and this massacre was simply an example we happened to see.

Because foreign witnesses were there, though, this time there was publicity, and resulting threats to cut Jakarta's aid. Indonesia responded by issuing a report saying that the shooting was a "spontaneous reaction by soldiers...to protect themselves" and that it "clearly was not an act ordered by or reflecting the policy of the Government of of the Armed Forces."

The Indonesian report, Mr. Chairman, is a very simple and damnable lie, and no government that praises it can be taken seriously. The only way that anyone can put any stock in this report is if they are willing to ignore the testimony of every known foreign and Timorese eyewitness, as well as the policy statements of the Indonesian army chief. **

** Amnesty International, Asia Watch and the International Commission of Jurists (ICJ) have all issued detailed studies rejecting the claims of the Indonesian report. Amnesty said it was "fatally flawed," and Asia Watch said it "cannot be accepted." The GAO has also issued a report, which, unfortunately, is riddled with inaccuracies. The authors failed to interview key foreign eyewitnesses, even though they were given their names and numbers. They also did not interview any Timorese eyewitnesses, as, when in Timor, they were under constant army escort. The principal GAO author told me, astonishingly enough, that she had not even read the Amnesty reports. She was also unfamiliar with General Sutrisno's speeches, and basic facts about East Timor and November 12. The report in large part consists of GAO restatements of Jakarta's discredited official report. It presents Indonesia's claims as fact, in the face of all available evidence. The GAO says for example, that there were two different marches, even though witnesses and the video show that there was only one. The GAO says, for example, that there were soldiers stationed at the cemetery, even though witnesses and the video show that this is not true. The GAO says, for example, that "Western sources could find no evidence to substantiate rumors of other shootings and killings" (after the November 12 massacre) -- even though there were Western eyewitnesses who could have given them such evidence, if the GAO had bothered to call them up. The investigators,

General Sutrisno added on December 9, that as soon as Indonesia's investigation of the massacre is completed "we will wipe out all separatist elements who have tainted the government's dignity." (Sutrisno has no legal basis to say that the Timorese are "separatist," since Indonesia's occupation is against the law and has been rejected by the world community. The UN Security Council has affirmed that the East Timorese have the right to self-determination. It carries on its books two Security Council resolutions quite similar to those passed against Iraq after its invasion of Kuwait. The resolutions, passed in 1975 and '76, call on Indonesia to "withdraw without delay.")

President Suharto, for his part, responded to the massacre by going out of his way to ridicule the East Timorese. He said that the killings in Dili were a "small thing," and said that when world leaders asked him about it "I showed them a map where East Timor is located, the tiny island called East Timor. That small thing caused everybody to make a fuss. And, " he said, "they all laughed." When the official report on the massacre met still more foreign criticism, Suharto responded by replacing two mid-level generals. He, for example, replaced the commander of East Timor with a new general who promptly announced that his predecessor had been too "patient" and said that he would take an even harder line. He said "The (November) incident might reflect the people's aspirations, but it was a rebellion." He then said in an interview with an Indonesian news magazine that any Timorese engaged in anti-Indonesian activity would be "hunted down."

Suharto also ordered the prosecution of Timorese who were involved in the march, including some of those who survived the massacre. Some now face jail and penalties ranging up to death for the crime of subversion against the Indonesian state. In the wake of the massacre, the army stepped up repression. Since November 12 East Timor has been swept by a new wave of intensified army terror. Within the past two weeks I have received new, authoritative, information on the massacre and the recent period. It is now known that the massacre death toll was at least 146, with 90 people missing, 200 detained in the following weeks, and at least 70 seized in recent days. There have also been several credible reports of executions of Timorese who either witnessed the November 12 massacre or are thought to be critics of Indonesia. The army has also been mounting a program of harsh interrogation of clergy and people active in the Catholic Church. In particular the army has been persecuting Father Alberto Ricardo, the vicar general of the Dili diocese. Recently, while in Geneva to testify to the UN Human Rights Commission, I spoke to a member of the Indonesian delegation who said he knew of the interrogation of Father Ricardo. He said that if in the end the army did not believe what the Father said, they would have to decide whether to expel him from Timor or put him in an army jail.

As we left Dili the army was sweeping through the streets, breaking into homes and rounding up Timorese. Timorese church people as we left were calling desperately for international help. They wanted the UN to send in a peacekeeping force to first, protect them from the Indonesian troops, and later oversee a transition to orderly self-determination, via a UN-supervised referendum. But for that to be possible, one leading churchman said, the United States would have to take action first. "America is the key," he said, because as Jakarta's military sponsor, it has the power that could make Indonesia obey the law.

---

after prodding, agreed to interview Amy Goodman and me -- and then wildly misreported what we said. There is no space here to list the report's many errors, but it is, to say the least, an unprofessional piece of work.

This formulation, however, understates the US role. By continuing to provide arms shipments, training, and commercial arms sales to an army that massacres civilians, the US government is itself an accomplice to an unmistakable, heinous crime.

It is often said in Washington these days that the US only gives Indonesia $1.8 million yearly in IMET military training aid. This, however, is completely misleading, and ignores extensive commercial military sales and deliveries of FMS arms. In 1990, the last year for which figures are available, the US delivered to Indonesia $233,154,000 in FMS weapons, mainly 12 F-16s. In 1991, according to Pentagon sources, deliveries are expected to range between $30 and $45 million, many of them spare parts for US-supplied planes. In addition, there is now on the table a deal between Grumman and Indonesia for the $500 million sale of four E-2C surveillance planes that can be used to spot targets on land and sea. The deal was approved by the US government as a foreign military sale, but it was postponed when Indonesia did not have the funds in hand. Likewise, Lockheed is now negotiating a sale of four C-130s, a $130 million commercial sale to the Indonesian Air Force which has also received US approval but been put on hold until Indonesia raises the cash. In 1990 US government-approved commercial arms sales to Indonesia amounted to $15, 219, 000 . The Pentagon and CIA also share intelligence with Indonesia, and, from the US embassy in Jakarta, the US military attaches and the military group advise the Indonesian military on the use of US equipment and provide military instruction and advice. This is all in addition to direct US economic aid (which in 1990 stood at $53.1 million), more than $100 million yearly in US financing channeled through the Export - Import Bank ($113.8 million in 1990) and the US contributions to the IGGI (Inter - Governmental Group on Indonesia), the international fund which this year will provide nearly $5 billion in financing to the Indonesian regime.

One Pentagon official I spoke to said that it was his prediction that the Congress would respond to the massacre merely by cutting the $1.8 million in IMET aid. He said that this would be a way of making a public statement while at the same time avoiding unduly upsetting the Indonesians. He said that if the IMET aid were cut, Indonesia would understand. It would continue to take its US weapons deliveries. And, likewise, he said that US arms contractors would have no reason to complain.

Arms manufacturers I spoke to on this subject echoed the confidence of the Pentagon man. They did not think there was any danger that Congress would interrupt the weapons flow.

That decision will, of course, be made by you and your colleagues, Mr. Chairman. But if the Congress takes this course the significance will be clear. The US will be telling and showing Indonesia that they can stage a public massacre, watch deliberately as the wounded die, then kill witnesses and prosecute survivors, persecute priests, lie to the world -- and have their generals declare that it is policy -- and then be answered by fresh deliveries of American weaponry and money. This, Mr. Chairman, would be a crime, both in the legal and the moral sense. The US would be knowingly arming an illegal occupation by an army with a policy of killing those who speak. The US has done this from the beginning, since President Ford and Henry Kissinger met with Suharto in Jakarta a day and a half before the invasion of Dili. The US responded to the subsequent massacre by doubling Jakarta's military aid. The question now is whether the Congress will choose to stand up and enforce the law, or whether, in lieu of self-determination and free elections for East Timor, it will choose instead to support the continuation of mass murder with US arms.

The Prospects for Change

This is the decisive moment for action on East Timor. If the United States cuts off aid and backs UN action for self determination, vast numbers of East Timorese lives will be spared, and there will be a reasonable chance that the illegal occupation will come to a just and orderly end. But if you do not do this, then more Timorese will die, and the chance for a peaceful solution will probably be lost.

The massacre has, for the moment, brought the issue of East Timor onto the international stage. Governments that have, for years, been silent or complicit are now facing pressure from their publics, and, in some cases, their national media, to finally acknowledge the rights of the East Timorese.

In Japan, Canada and Western Europe, governments with close ties to the Suharto regime were compelled by the massacre and the ensuing public reaction to make gestures in protest of Jakarta's actions. Some governments then shamefully seized on the Indonesian official report and the transfer of the generals and used them as an opportunity for making the inaccurate claim that the East Timor problem was being resolved.

Now Indonesia is saying that it may put some soldiers on trial, a move that cynical governments could then cite as evidence that Jakarta is somehow moving in the right direction. The fact of the matter is, though, that reports, reshuffles and army trials, have little to do with the conditions of Timorese life. The agonizing realities lived daily by the East Timorese are in large part shaped by two fundamental things: first, the fact that they are occupied by the army of Indonesia, and second that they cannot choose their own way of life. Even if dozens of officers were thrown to the wolves and put on trial, the East Timorese would still be a captive nation. Even if Indonesia were somehow to allow a full international investigation, the Indonesian army would still be there, daily, running the lives of the East Timorese.

No government can claim to be serious about the well-being of the East Timorese unless it is willing to acknowledge and support their right to self-determination. How can governments presume to tell an illegal occupation army, that they will be satisfied if, say, it starts to kill and torture somewhat less? This kind of stance is especially grotesque when one is talking about Indonesia, a government which has already committed in East Timor a genocide of Cambodian proportions.

Yet though the stance on East Timor of many governments around the world is still one of doing the minimum required to appease public pressure, the fact of the matter is that that pressure now exists in a way it has not since the '75 invasion. Even traditional backers of Jakarta like Japan and the Netherlands, are facing serious internal challenges to their Timor policies. In these and other influential countries there are strong factions in their parliaments and governments that are now, in the political wake of the November 12 massacre, pressing for insistence on Timor's rights. The result has been that support for Indonesia has had a tentative, unsteady quality, that stands in marked contrast to the situation that prevailed before November 12, when key nations got along with Jakarta by choosing to avert their eyes from its running occupation of East Timor.

The UN Human Rights Commission, for example, is now taking up a resolution that is bitterly opposed by Indonesia but is still garnering substantial support. The current

draft of the resolution , originally offered by Portugal, calls on the Secretary General to monitor Timorese human rights on an ongoing basis, and also makes reference to the UN resolutions which call for self-determination, and notes that human rights violations have continued in East Timor since November 12. Amy Goodman and I testified to the Commission on February 12, and commented on a showing of the raw video footage of the massacre. When we had arrived in Geneva a few days before, delegates had been saying that there was little chance for passage of a resolution on East Timor. Within a week, though, the situation had reversed, and now, with the cosponsorship of the European and Nordic groups as well as Hungary, Czechoslovakia, Chile, Angola, Cape Verde, Mozambique and Sao Tome, (plus support from other Latin American and African states) a Timor resolution is expected to pass -- with the issue now being whether the draft will be watered down. Though England and the Netherlands tried to weaken the resolution when it was discussed inside the European caucus, they have now signed onto it and it will be mainly up to the United States whether the resolution proceeds in its current form.

Passage of a strong resolution would be a setback for Indonesia in its efforts to prevent action within the UN system. Present indications are, though, that Indonesia's task may not be easy, unless the US chooses to continue what has been its standing policy of lobbying on Jakarta's side. The UN Special Rapporteur on torture has just issued a report saying that in Indonesia and, particularly, East Timor, "torture is said to be practiced rather routinely." In addition, I have learned, Mr. Chairman, that advisers to the UN Secretary General are urging him to take up the question of self-determination for East Timor. Portugal has already presented him with a proposal for negotiations which would include the East Timorese. Xanana Gusmao, the leader of the Timorese underground, has proposed talks without preconditions. And there are nations with Security Council seats that are now considering raising the Timor issue there.

In sum, the political elements needed for the UN to resolve the Timor question are finally beginning to move into place. Portugal, the administering power, after years of lethargy, is finally beginning to take some serious action, and Japan and the key players in Europe are, for the very first time, facing strong internal pressures to leaven their cynical support for Jakarta with some serious urging that it obey the law on the question of East Timor.

The situation is now such that self-determination for East Timor is within reach if Washington wants it to happen. If the US were to tell the Secretary General that it endorsed negotiations involving the East Timorese, there is little doubt that an orderly UN process leading to elections and self-determination could then be set in motion.

A majority of the US Senate (52 Senators), under the leadership of Senator Wallop, has already, in a joint letter to President Bush, endorsed self-determination for East Timor. If the Congress were now simply to stand behind this position -- and back it up by cutting off aid to Indonesia -- then the way would be cleared for long-overdue UN action to finally end the illegal slaughter of the East Timorese.

With the UN telling it that it is time to obey the law, and the US for its part showing that it will no longer fund Jakarta's crimes, the Indonesian regime would have a very hard time resisting the pressure to get out of East Timor. Foreign aid provides a quarter of its government budget and Washington has long been its principal political sponsor and military source. As the Economist observed this January in an editorial on Timor: "Indonesia's foreign debt is $57 billion, and servicing that consumes 30% of each year's

export earnings; the government in Jakarta is in no position to thumb its nose at foreigners." The November 12 massacre has inflamed an internal political crisis, which has, by many accounts, shaken the Suharto regime. The actions taken here in Washington in the coming months will go a long way toward determining how that crisis is resolved, especially with regard to East Timor. If the Congress chooses to continue this country's backing of Jakarta's crimes, then there is little doubt that many more Timorese will be consigned to torture and violent death. But if Congress decides to stand by the Senate's own expressed position and simply insists on compliance with international law, then -- immediately -- many Timorese will be spared, and, in the longer run get a chance at freedom.